



CITY OF MCMINNVILLE
PLANNING DEPARTMENT
231 NE FIFTH STREET
MCMINNVILLE, OR 97128

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DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS OF THE MCMINNVILLE HISTORIC LANDMARKS COMMITTEE FOR THE APPROVAL OF A DEMOLITION OF THE HISTORIC RESOURCE LOCATED AT 207 NE JOHNSON STREET

- DOCKET:** HL 2-20 (Certificate of Approval for Demolition)
- REQUEST:** Approval to demolish an existing historic resource and building that is listed on the McMinnville Historic Resources Inventory as an “Environmental” historic resource (resource number D971).
- LOCATION:** 207 NE Johnson Street. The resource is located at the property described as Lot 8, Block 19, Rowland Addition. The property is also identified as a portion of Tax Lot 6200, Section 21BD, T. 4 S., R. 4 W., W.M.
- ZONING:** C-3 (General Commercial)
- APPLICANT:** Joe Pearson, on behalf of property owner Praise Assembly
- STAFF:** Chuck Darnell, Senior Planner
- DATE DEEMED COMPLETE:** June 24, 2020
- HEARINGS BODY & ACTION:** McMinnville Historic Landmarks Committee
- HEARING DATE & LOCATION:** July 23, 2020, Zoom Online Meeting ID 976 2335 0120
- PROCEDURE:** An application for a Certificate of Approval for Demolition is processed in accordance with the procedures in Section 17.65.050 of the McMinnville Municipal Code.
- CRITERIA:** The applicable criteria for a Certificate of Approval for Demolition are specified in Section 17.65.050(B) of the McMinnville Municipal Code. In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. “Proposals” specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.
- APPEAL:** As specified in Section 17.65.080 of the McMinnville Municipal Code, the Historic Landmarks Committee’s decision may be appealed to the Planning Commission within fifteen (15) days of the date written notice of decision is mailed. The City’s final decision is subject to a 120 day processing timeline, including resolution of any local appeal.

Attachments:

Attachment 1 – Application and Attachments

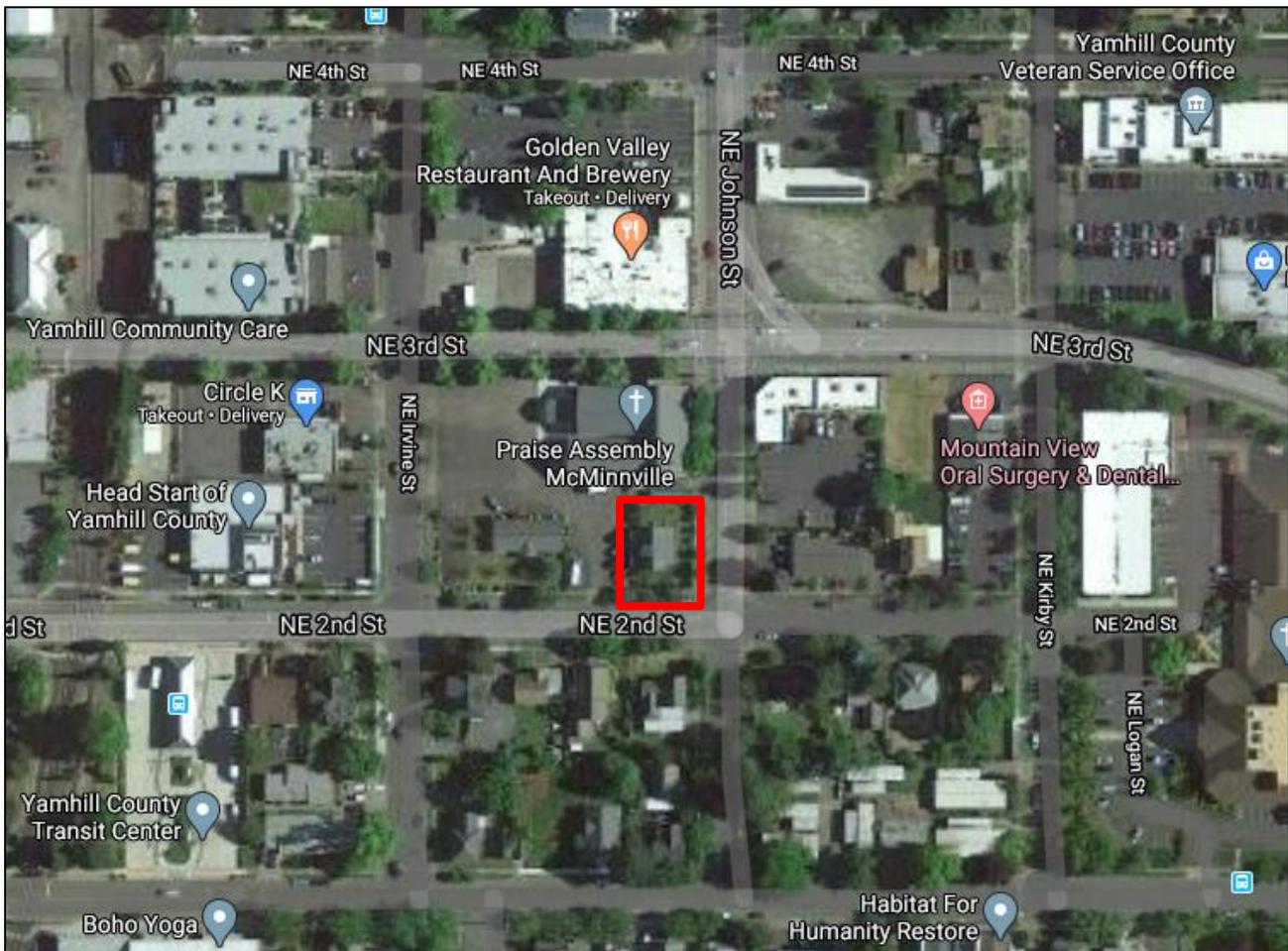
I. APPLICATION SUMMARY:

The applicant has provided information in their application narrative and findings (attached as Attachment 1) regarding the history of the subject site(s) and the request(s) under consideration. Staff has found the information provided to accurately reflect the current land use request, and excerpted portions are provided below to give context to the request, in addition to the City’s findings.

Subject Property & Request

The subject property is located at 207 NE Johnson Street. The resource is located at the property described as Lot 8, Block 19, Rowland Addition. The property is also identified as a portion of Tax Lot 6200, Section 21BD, T. 4 S., R. 4 W., W.M. **See Vicinity Map (Figure 1) below.**

Figure 1. Vicinity Map (Property Lines Approximate)



The existing building on the subject property was listed on the Historic Resources Inventory as a Environmental resource (resource number D971). The statement of historical significance and description of the building, as described in the McMinnville Historic Resources Inventory sheet for the subject property prior to the recent Historic Resources Inventory Amendment, is as follows:

This is a one and one-half story bungalow (with basement) of weatherboard. Wood frame construction. Most of the windows are double hung sash, one-over-one. The dwelling is rectangular in shape; very plain. The porch seems to be an addition with the north end enclosed. The roof is gable with shed dormer windows.

The applicant provided an additional description of the historic resource in the application narrative, which is as follows:

“The structure proposed for demolition is a 2124 sq ft two story, three- bedroom bungalow house with a full unfinished basement. The house was constructed in 1920 as a parsonage for Pastors and their families who served at Full-Gospel Church which later, in the 1950’s became McMinnville Assembly of God and finally Praise Assembly in 2014.”

Photos of the resource at the time of survey in 1980 and photos of the existing exterior of the historic resource, as provided in the application narrative, are provided below. **See 1980 Historic Resources Inventory Photo (Figure 2), East Elevation (Figure 3), and West Elevation (Figure 4) below.**

Figure 2. 1980 Historic Resources Inventory Photo



Figure 3. East Elevation



Figure 4. West Elevation



Background

The property was originally surveyed in 1980, which is the date that the “Statement of Historical Significance and Property Description” were drafted and included on the Historic Resources Inventory sheet (resource number D971) for the subject property. This survey work led to the inclusion of the property on the Historic Resources Inventory, and the Historic Resources Inventory was adopted by the McMinnville City Council on April 14, 1987 by Ordinance 4401. The Historic Resources Inventory has since been incorporated into the McMinnville Municipal Code (MMC) through its adoption and reference in MMC Section 17.65.030(A).

Summary of Criteria & Issues

The application (HL 2-20) is subject to Certificate of Approval for Demolition review criteria in Section 17.65.050(B) of the Zoning Ordinance. The goals and policies in Volume II of the Comprehensive Plan are also independent approval criteria for all land use decisions.

The specific review criteria for Certificate of Approval for Demolition requests, in Section 17.65.050(B) of the McMinnville Zoning Ordinance, require the Historic Landmarks Committee to base each decision on the following criteria:

1. The City’s historic policies set forth in the comprehensive plan and the purpose of this ordinance;
2. The economic use of the historic resource and the reasonableness of the proposed action and their relationship to the historic resource preservation or renovation;
3. The value and significance of the historic resource;
4. The physical condition of the historic resource;
5. Whether the historic resource constitutes a hazard to the safety of the public or its occupants;
6. Whether the historic resource is a deterrent to an improvement program of substantial benefit to the City which overrides the public interest in its preservation;
7. Whether retention of the historic resource would cause financial hardship to the owner not outweighed by the public interest in the resource’s preservation; and
8. Whether retention of the historic resource would be in the best interests of a majority of the citizens of the City, as determined by the Historic Landmarks Committee, and, if not, whether the historic resource may be preserved by an alternative means such as through photography, item removal, written description, measured drawings, sound retention or other means of limited or special preservation.

The applicant has provided findings to support the request for a Certificate of Approval for Demolition. These will be discussed in detail in Section VII (Conclusionary Findings) below.

II. CONDITIONS:

1. That within 20 (twenty) days of notification of the Historic Landmarks Committee’s decision, the applicant shall place notice in the “News-Register” advertising that for a period of not less than 120 days, the subject structure will be available for relocation. The applicant will place such notice in a minimum of two editions of the “News-Register”. The applicant shall also advertise the availability of the subject structure for relocation in postings on Craigslist, in the McMinnville, Salem, and Portland areas. The applicant shall also notify a minimum of four (4) local real estate agents of the availability of the subject structure for relocation. During the 120-day period following the required advertising, the applicant shall also place a posted notice on both right-of-ways adjacent to the property noticing the offering of structure for relocation. Evidence of the advertisement and the property posting shall be provided to the Planning Department prior to the issuance of the demolition permit for the subject structure.

Attachments :

Attachment 1 – Application and Attachments

The City of McMinnville shall not issue a demolition permit for the structure until 120 days from the first day of advertising the subject structure for relocation.

2. That the applicant shall make available for the party that may complete the relocation project the dollars the applicant would otherwise expend for the demolition of the resource. The amount made available shall be \$55,000, which is based on the cost estimates for demolition provided in the Certificate of Approval application. The applicant may provide other qualifying bids for the demolition to determine the final amount of funds to be made available, subject to review by the Planning Director or their designee. The terms of the removal and moving agreement shall be subject to review by the Planning Director or their designee.
3. That the City of McMinnville shall not issue a demolition permit for the historic resource until building permits for an improvement program substantially similar to the project described in the application materials have been submitted to the Building Department.
4. That prior to the issuance of the demolition permit for the subject structure, a minimum of 20 (twenty) digital photographs documenting exterior views of the subject structure shall be submitted to the Planning Department.

III. ATTACHMENTS:

1. HL 2-20 Application and Attachments (on file with the Planning Department)

IV. COMMENTS:

Agency Comments

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. The following comments were received:

- McMinnville Engineering Department

No concerns with the proposed demolition. Sewer service shall be capped at the property line as part of the demolition permit. Sidewalks and driveways will need to be upgraded to current PROWAG standards as part of the new construction permit.

- McMinnville Building Department

If they are to move ahead with demolition, it is recommended they work with an engineer to specify the method of removing the basement and other below-grade construction and then filling the hole with properly compacted material. If it is not properly filled, it may be necessary to dig out all the fill material as part of building the apartments.

- McMinnville Water and Light

MW&L has the following comments: “Contact MWL prior to demolition to coordinate removal of electric service”.

Public Comments

Attachments:

Attachment 1 – Application and Attachments

Notice of this request was mailed to property owners located within 300 feet of the subject site on July 2, 2020. As of the date of the Historic Landmarks Committee public meeting on July 23, 2020, no public testimony had been received by the Planning Department.

V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. The applicant, Joe Pearson, on behalf of property owner Praise Assembly, submitted the Certificate of Approval application (HL 2-20) on March 27, 2020.
2. The application was deemed incomplete on April 9, 2020. A revised application submittal, including items that were requested by the Planning Department to deem the application complete, was provided on June 15, 2020.
3. The application was deemed complete on June 24, 2020. Based on that date, the 120 day land use decision time limit expires on October 22, 2020.
4. Notice of the application was referred to the following public agencies for comment in accordance with Section 17.72.120 of the Zoning Ordinance: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas.

Comments received from agencies are addressed in the Decision Document.

5. Notice of the application and the July 23, 2020 Historic Landmarks Committee public hearing was mailed to property owners within 300 feet of the subject property in accordance with Section 17.65.070(C) of the Zoning Ordinance on Thursday, July 2, 2020.
6. No public testimony was submitted to the Planning Department prior to the Historic Landmarks Committee public hearing.
7. On July 23, 2020, the Historic Landmarks Committee held a duly noticed public hearing to consider the request.

VI. FINDINGS OF FACT – GENERAL FINDINGS

1. **Location:** 207 NE Johnson Street. The resource is located at the property described as Lot 8, Block 22, Rowland Addition. The property is also identified as a portion of Tax Lot 6200, Section 21BD, T. 4 S., R. 4 W., W.M.
2. **Size:** Approximately 6,000 square feet.
3. **Comprehensive Plan Map Designation:** Commercial
4. **Zoning:** C-3 (General Commercial)
5. **Overlay Zones/Special Districts:** Downtown Design Standards Area (per Section 17.59.020(A) of the Zoning Ordinance); Reduced Landscaping Requirements Area (per Section 17.57.080).
6. **Current Use:** Residential
7. **Inventoried Significant Resources:**

Attachments:

Attachment 1 – Application and Attachments

- a. **Historic Resources:** Historic Resources Inventory – Resource Number D971.
 - b. **Other:** None
8. **Other Features:** The site is generally flat, and is fully developed. There are no significant or distinguishing natural features associated with this property.
9. **Utilities:**
- a. **Water:** Water service is available to the subject site.
 - b. **Electric:** Power service is available to the subject site.
 - c. **Sewer:** Sanitary sewer service is available to the subject site.
 - d. **Stormwater:** Storm sewer service is available to the subject site.
 - e. **Other Services:** Other utility services are available to the subject site. Northwest Natural Gas and Comcast is available to serve the site.
10. **Transportation:** The site is adjacent to NE 2nd Street and NE Johnson Street, which are both identified as a minor collectors in the McMinnville Transportation System Plan. Section 17.53.101 of the McMinnville Municipal Code identifies the right-of-way width for major collector streets as 74 feet.

VII. CONCLUSIONARY FINDINGS:

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for a Historic Resources Inventory Amendment are specified in Section 17.65.050(B) of the Zoning Ordinance.

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. “Proposals” specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

Comprehensive Plan Volume II:

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals, policies, and proposals as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application.

The following additional findings are made relating to specific Goals and Policies:

GOAL III 2: TO PRESERVE AND PROTECT SITES, STRUCTURES, AREAS, AND OBJECTS OF HISTORICAL, CULTURAL, ARCHITECTURAL, OR ARCHAEOLOGICAL SIGNIFICANCE TO THE CITY OF McMINNVILLE.

APPLICANT’S RESPONSE: None.

FINDING: NOT SATISFIED. The focus of the comprehensive plan goal is to preserve and protect structures that have special historical or architectural significance. A demolition clearly does not meet that intent. The Historic Landmarks Committee, after reviewing the application materials and receiving testimony, decided that other applicable criteria for the consideration of the demolition were met and therefore the demolition was approved. Findings for those other applicable review criteria are provided below.

Attachments:

Attachment 1 – Application and Attachments

GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMINNVILLE.

GOAL X 2: TO MAKE EVERY EFFORT TO ENGAGE AND INCLUDE A BROAD CROSS SECTION OF THE COMMUNITY BY MAINTAINING AN ACTIVE AND OPEN CITIZEN INVOLVEMENT PROGRAM THAT IS ACCESSIBLE TO ALL MEMBERS OF THE COMMUNITY AND ENGAGES THE COMMUNITY DURING DEVELOPMENT AND IMPLEMENTATION OF LAND USE POLICIES AND CODES.

Policy 188.00 The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED. The process for a Certificate of Approval for Demolition provides an opportunity for citizen involvement throughout the process through the public notice and the public meeting process. Throughout the process, there are opportunities for the public to review and obtain copies of the application materials and the completed staff report prior to the advertised public meeting(s). All members of the public have access to provide testimony and ask questions during the public review and meeting process.

McMinnville Municipal Code

The following Sections of the McMinnville Municipal Code (MMC) provide criteria applicable to the request:

Chapter 17.03. General Provisions

17.03.020 Purpose. The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare.

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED. The purpose of the Zoning Ordinance is met by the proposal as described in the Conclusionary Findings contained in this Decision Document.

17.65.050 Demolition, Moving, or New Construction. The property owner shall submit an application for a Certificate of Approval for the demolition or moving of a historic resource, or any resource that is listed on the National Register for Historic Places, or for new construction on historical sites on which no structure exists. Applications shall be submitted to the Planning Department for initial review for completeness as stated in Section 17.72.040 of the McMinnville Zoning Ordinance. The Historic Landmarks Committee shall meet within thirty (30) days of the date the application was deemed complete by the Planning Department to review the request. A failure to review within thirty (30) days shall be considered as an approval of the application.

Attachments:

Attachment 1 – Application and Attachments

APPLICANT’S RESPONSE: None.

FINDING: SATISFIED. The applicant, who is representing the property owner, filed an application and request to demolish the existing building that is located on the site that is designated as a Environmental resource on the Historic Resources Inventory. The application was reviewed by the Historic Landmarks Committee within 30 days of the application being deemed complete.

17.65.050 Demolition, Moving, or New Construction. [...]

B. The Historic Landmarks Committee shall base its decision on the following criteria:

17.65.050(B)(1). *The City’s historic policies set forth in the comprehensive plan and the purpose of this ordinance;*

APPLICANT’S RESPONSE: The purpose of the city’s historic policies is to preserve historical resources with special historical, architectural or cultural significance while improving property values and strengthening the economy. This resource lacks significance required to meet the purpose of restoring it and much of the historical value has been diminished due to various remodeling. Additionally, restricting the demolition of this resource will hinder the applicants ability to move forward with an alternative action of great value to the citizens of McMinnville by providing 14 affordable housing apartments as well as the opportunity to increase the property value with this multi million dollar facility and subsequent projects listed below, all of which strengthen the city economy by providing resources and opportunities for it’s citizens.

FINDING: NOT SATISFIED. The City’s historic policies in the comprehensive plan focus on the establishment of the Historic Landmarks Committee, however, the goal related to historic preservation is as follows:

Goal III 2: To preserve and protect sites, structures, areas, and objects of historical, cultural, architectural, or archaeological significance to the City of McMinnville.

The purpose of the Historic Preservation ordinance includes the following:

- (a) Stabilize and improve property values through restoration efforts;
- (b) Promote the education of local citizens on the benefits associated with an active historic preservation program;
- (c) Foster civic pride in the beauty and noble accomplishments of the past;
- (d) Protect and enhance the City’s attractions for tourists and visitors; and
- (e) Strengthen the economy of the City.

The focus of the comprehensive plan goal and the purpose of the Historic Preservation chapter are to preserve structures that have special historical or architectural significance through restoration efforts. A demolition clearly does not meet that intent. The Historic Landmarks Committee, after reviewing the evidence and hearing the public testimony, decided that other criteria for the consideration of the demolition were satisfied and therefore the demolition was approved with conditions.

17.65.050(B)(2). *The economic use of the historic resource and the reasonableness of the proposed action and their relationship to the historic resource preservation or renovation;*

APPLICANT’S RESPONSE: Within the past 25 years the house has been used for church offices, Class rooms, temporary housing and storage. Over this extended period of time there have been additions and renovations but the quality of workmanship and the materials used were not consistent with code requirements or preserving the historical integrity of the house.

Attachments :

Attachment 1 – Application and Attachments

The house is currently being vacated because of the poor conditions and will not be suitable for economic use without substantial repairs. The cost to repair and preserve the structure are provided on an estimate sheet in the addendum. We believe these costs are not within a reasonable range to restore the historical integrity of this house given the current economic use.

The proposed action we would like to take after demolition is the construction of a 14 unit affordable housing apartment complex to meet a current community need and increase the economic value of the property. The new structure will include a full seismic upgrade, a fire protection system, new electrical and plumbing systems, improved exterior lighting and improvements for accessibility and egress. Our architectural design elements and proximity to the downtown area will greatly increase the appeal of the neighborhood and provide housing and amenities for the community. Additional proposed enhancements to the city block include a playground, community center, updated parking lots and daycare facility. All of these projects are contingent on the demolition of the existing structure. The proposed project designs are attached. See "Praise Assembly ground floor, Praise assembly 2nd floor and Praise Assembly 3rd floor"

It is reasonable to pursue the proposed demolition and alternative action described above because of both the lack of historical and economic value in the current structure as well as the public interest served by providing low income housing for citizens in our community. While no one would argue that there is great purpose in retaining our past, the citizens of McMinnville who currently reside in our community would benefit more greatly from the additional housing provided by the alternative proposed. Because the structure serves historical purpose in name only after various remodels and deterioration of the original historic aspects, there is little loss in demolition of the property.

FINDING: SATISFIED WITH CONDITIONS #1 AND #2. The City concurs with the applicant's findings. The City adds that the preliminary cost estimates provided by the applicant show that the investment required to renovate the existing building is likely higher than the assessed market value of the structure. The applicant has provided cost estimates from a contractor showing that the renovation of the structure could cost \$160,000, and has argued that this amount is not reasonable to invest in the structure due to its economic use. The applicant has also argued that the renovation required is not reasonable given the level of significance of the historic resource, which is an Environmental resource and the lowest classification on the Historic Resources Inventory.

The assessed market value of the structure is difficult to determine. The Yamhill County Assessor's records for the building are grouped together with all of the improvements on the properties under control of the Praise Assembly church, which encompass the entire city block between 3rd and 2nd Streets, and Irvine and Johnson Streets. The market value of buildings on the block include the historic resource in question, as well as the main church building and one other building located on the church's properties. However, a comparison of a similarly sized residential structure immediately across 2nd Street from the subject historic building shows that a market value for an approximately 2,000 square foot, 2 story residential building is approximately \$127,000. The property at 938 NE 2nd Street was used in this comparison, as a 2,099 square foot residence with 4 bedrooms and 2 baths. The historic resource in question is listed as 2,124 square feet with 3 bedrooms and 2 baths. The Assessor's "Improvement Grade" for the two structures is also similar, at 38 and 35, respectively.

The City finds that the economic use and reasonability of the applicant's proposal satisfied the review criteria. Conditions of approval are included to ensure that the applicant make the structure and funding available for moving and relocation. One condition of approval specifically requires that the applicant make the structure available for moving and relocation for a period of at least 120 days. The condition also requires that the applicant provide notice on the property

and in the local newspaper, on Craigslist, and to local real estate agents making them aware of the availability of the resource for moving and relocation. The condition of approval also requires that the demolition permit for the structure be delayed for 120 days from the first day of advertising the structure for relocation. Another condition of approval requires that the applicant make available the \$55,000 in funds that were identified as the cost to demolish the structure to the eventual party that may complete the relocation project, and that the terms of the removal agreement shall be subject to review by the Planning Director or their designee.

The availability of those funds would provide a financial incentive to someone interested in renovating the structure, as they could receive the structure at no cost and also have all or most of the costs of moving the structure covered by the applicant, which would test whether the renovation of the structure is economically reasonable. Should no party come forward to move and relocate the structure during the 120-day timeframe, the renovation costs are not economically feasible and the renovations required are not reasonable and do not warrant the preservation of the historic resource.

17.65.050(B)(3). *The value and significance of the historic resource;*

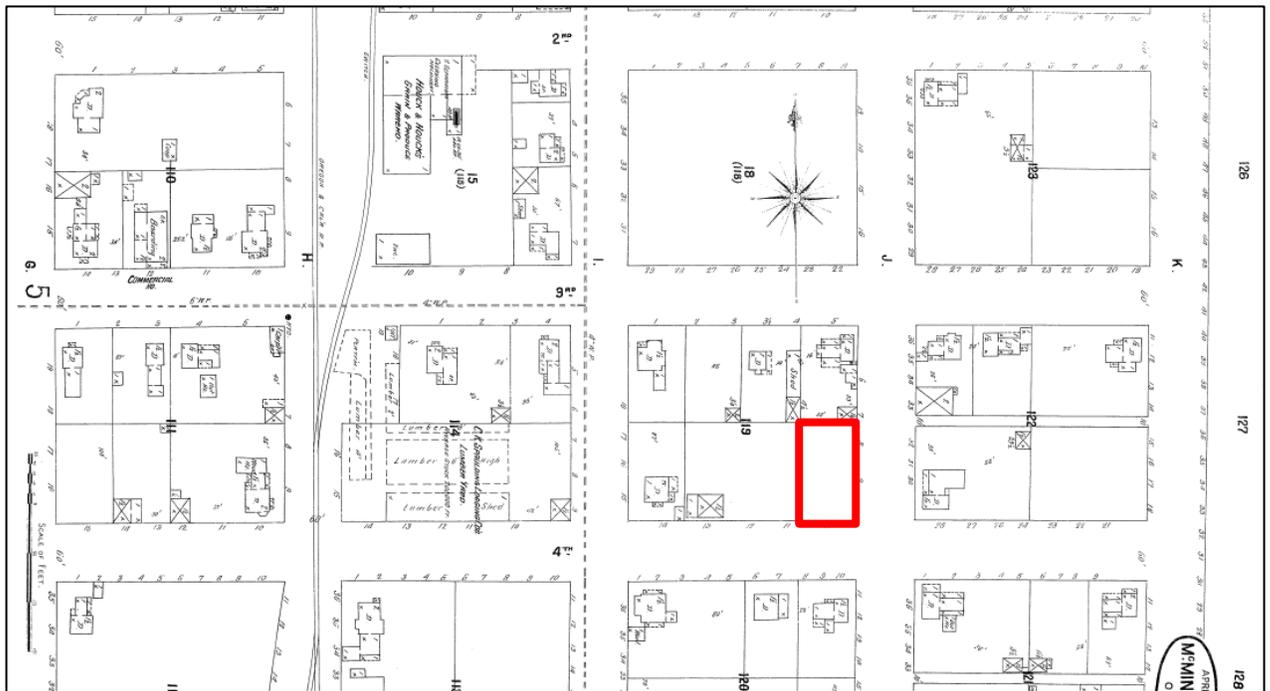
APPLICANT’S RESPONSE: There is currently little value in the existing structure. The property is tax exempt currently and therefore no current tax value exists for the city. With the current deterioration of the structure it is hazardous to occupants and it cannot be rented or leased for any value.

D917, the historic resource in question, has little historical significance according to the evaluations done by the historic landmarks committee in the 80’s. According to the records included this resource was a “Stage 1 Evaluation”. Only the top three categories of stage 1 evaluations went on to the Stage 2 Evaluation. Appendix 5 has the scoring from this Stage 2 Evaluation. If you look at Appendix 5, there is no score provided for resource number D917. Therefore, it is likely to assume that it was scored as the lowest category in the Stage 1 Evaluation, which is described in Appendix 4 as “The third, or lowest class included resources which did not necessarily contribute to the historic character of the community but did create the background or context for the more significant resources”. Therefore we conclude that this resource is listed on the historical resource list simply because it existed at a certain time in a certain part of town, not for any unique characteristics or history related to this resource. See “Historical resources inventory appendix 4 and 5” attached.

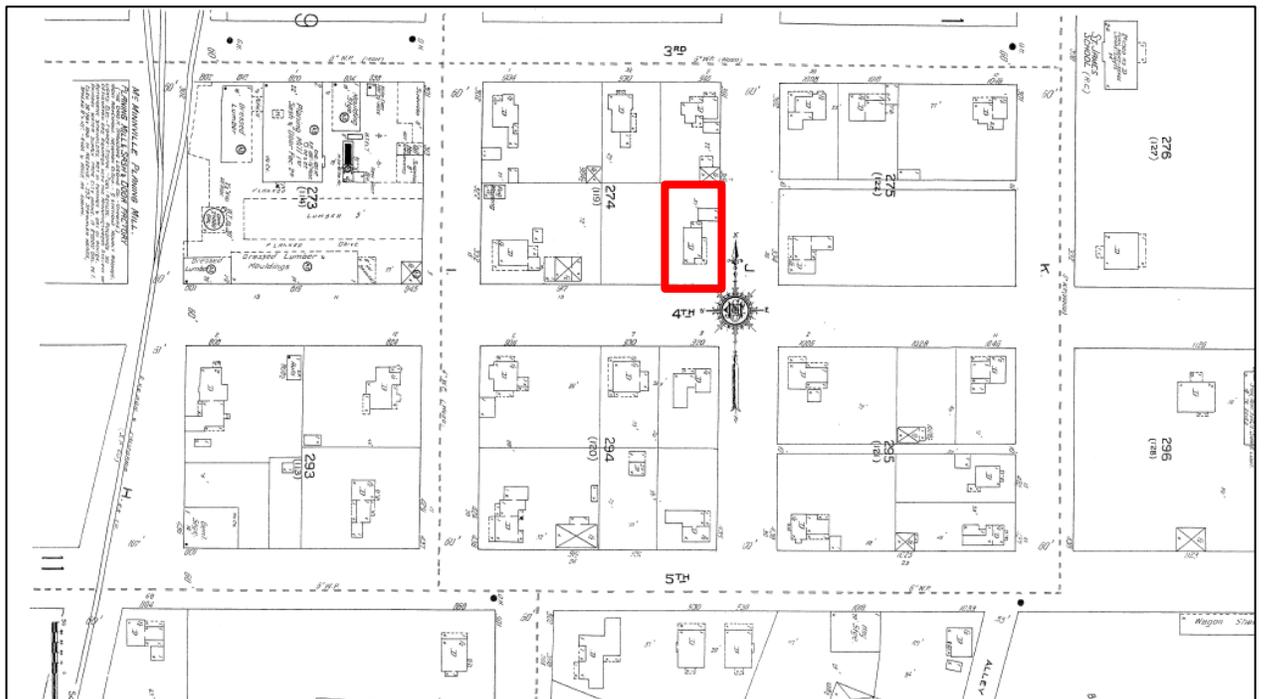
FINDING: SATISFIED. The City concurs with the applicant’s findings, but adds that the Historic Resources Inventory evaluation process described by the applicant shows that the structure in question was not found to be of high historical significance at the time that it was surveyed and added to the Historic Resources Inventory. More specifically, the resource was evaluated as a resource that “did not necessarily contribute to the historic character of the community but did create the background or context for the more significant resources”. The structure is also located on a block that has seen significant change from the historic development pattern, as shown in the Sanborn maps below. The structure is the last historic residential structure on the block, and while residences exist to the south, other adjacent city blocks have been redeveloped with more commercial and institutional development. Therefore, the historic resource proposed to be demolished is not providing background or context for many significant historic resources in close proximity. In regards to architectural significance, the existing structure does still retain much of the exterior architectural building form and features that existed at the time the structure was surveyed. The gable roof and shed dormer windows all still exist. The siding, while weathered and potentially in poor condition, appears to be the original as well. However, these features were not identified at the time of the development of the inventory as significant enough to warrant a higher classification of the structure. In addition, all windows and doors have been replaced with more modern materials. For these reasons, together with other findings for other

applicable review criteria and conditions of approval, the historical value and historical significance are not found to warrant the retention of the historic resource.

1902 Sanborn Map (Sheet 6):



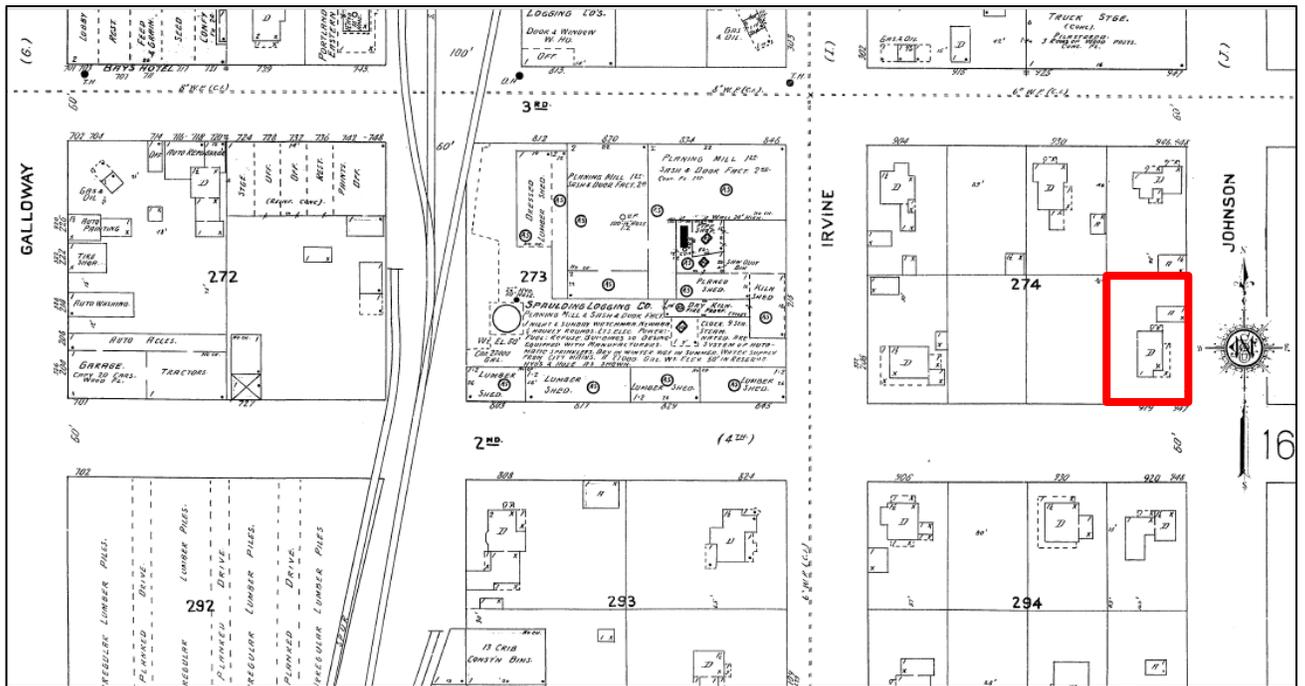
1912 Sanborn Map (Sheet 12):



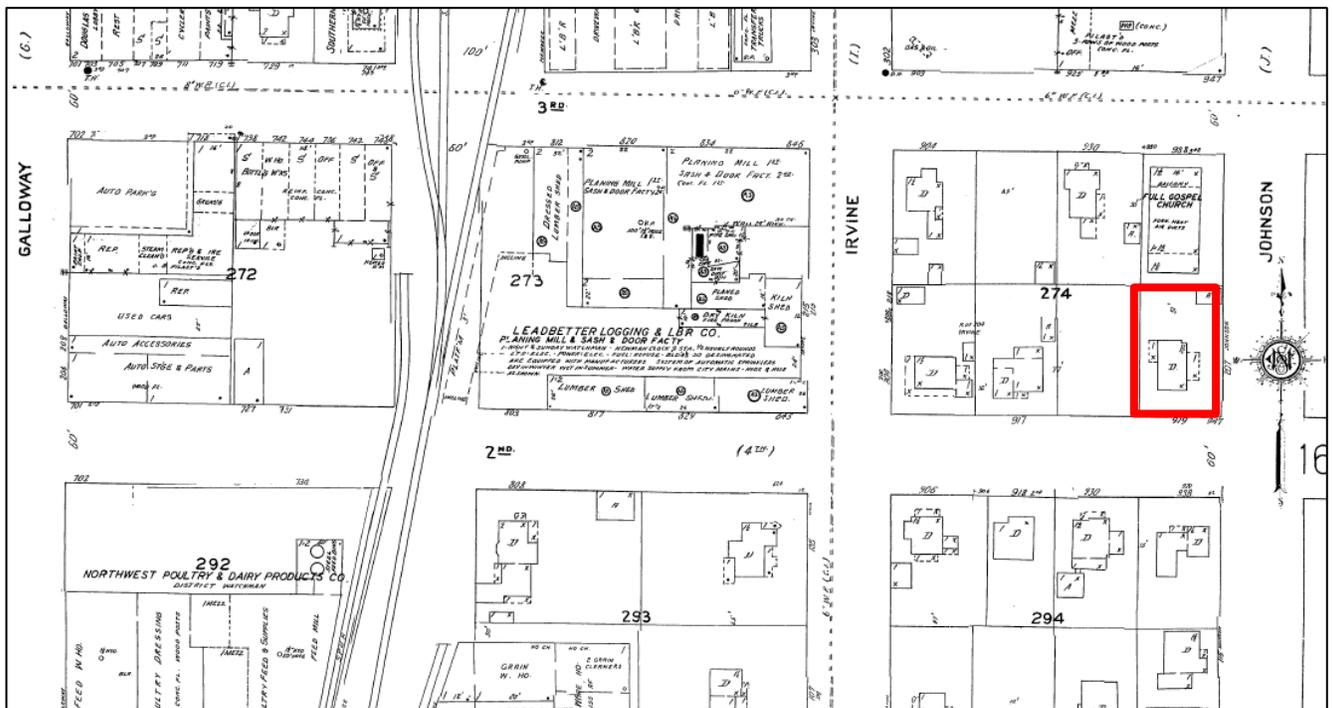
1928 Sanborn Map (Sheet 15):

Attachments:

Attachment 1 – Application and Attachments



1945 Sanborn Map (Sheet 15):



17.65.050(B)(4). *The physical condition of the historic resource;*

APPLICANT’S RESPONSE: The current physical condition of the structure is poor. There are several hazards on the property including sidewalk trip hazards due to root pressure from existing trees causing shifts in the cement, outside entry stairs that are rotting and pulling away from the structure, multiple cracks and shifts in the foundation of the structure, narrow and steep stairs inside the structure which hinder evacuation if needed, water damage in the floor of the second story which continues through the ceiling of the lower level, Dry rot on multiple windows causing windows to be loose and shifting, flood damage and mold in the basement due to cracks

Attachments :

Attachment 1 – Application and Attachments

in the foundation and rotten exterior on the ground level of the structure. All pictured and labeled below for reference.

Additional Responses in Photos in Narrative: Parking lot damage; Parking lot damage and trip hazard; Sidewalk damage and trip hazards; Inside stairwell, Not up to code. Too narrow and steep; Window deterioration, water damage and separation from the wall; Interior window deterioration, water damage and separation from the wall; Exterior window deterioration, water damage and separation from the wall; Dry rot to exterior, holes in foundation; Foundation cracks and separation from the building; Exterior stairwell, Dry rot and broken rails; Basement foundation cracks and flood damage, sagging floor joist; Basement flood damage, pooling moisture; Basement foundation cracks and sagging/rotting floor joists with inadequate support.

FINDING: NOT SATISFIED. Given that some level of investment would improve the physical condition of the resource, the Historic Landmarks Committee does not find that the existing physical condition of the historic resources is poor enough to warrant demolition solely based on physical condition. In addition, the City does not find that enough detailed evidence of poor physical condition was provided by the applicant to warrant the demolition. However, other applicable review criteria are satisfied that outweigh the proposal not meeting this criteria, which are described in the findings for those other criteria.

17.65.050(B)(5). *Whether the historic resource constitutes a hazard to the safety of the public or its occupants;*

APPLICANT’S RESPONSE: In its current condition, this structure is a major hazard to any occupancies and the public walkways are a hazard to neighborhood foot traffic. The condition of this structure causes a hinderance to neighbors attempting to sell or buy houses and lowers the comp value to housing in the area.

It is not reasonable for occupants to reside here due to the many hazardous conditions including windows that are not fully attached due to rotting window frames, narrow, steep stairs, dry rot on all 3 floors, flood damage and mold in the basement, flood damage to the second story floors causing unstable flooring, unstable exterior stairs due to dry rot, foundation cracks and foundation separation from the building structure in multiple locations.

FINDING: NOT SATISFIED. The applicant has provided arguments that the current condition of the structure could be a hazard to the occupants and the public, based on the condition. However, the condition is the result of deferred maintenance over time. If the property owner invested the amount necessary to renovate the existing structure and resolve, at a minimum, the basic structural building issues, the potential safety hazards would no longer exist. However, other applicable review criteria are satisfied that outweigh the proposal not meeting this criteria, particularly the review criteria in Section 17.65.050(B)(2) and 17.65.050(B)(3) above.

17.65.050(B)(6). *Whether the historic resource is a deterrent to an improvement program of substantial benefit to the City which overrides the public interest in its preservation;*

APPLICANT’S RESPONSE: Currently this structure is a deterrent to a relevant improvement project of substantial benefit to the city and the public interest.

-The proposed project will directly impact the housing crisis in McMinnville by providing 14 new affordable apartments for low income families and senior citizens in support of the mission of the Urban Renewal Program.

-The proposed project will increase the economic value of the site substantially with the addition of the multi-million dollar new facility.

Attachments :

Attachment 1 – Application and Attachments

- The proposed project will increase the tax revenue value of the site.
- The proposed project will indirectly result in additional site projects that serve the public interest in the way of a community center with industrial kitchen, playground structure and park area, daycare facility and updated parking lots.
- The proposed project will increase the aesthetic value of the neighborhood and the city will gain an attractive, residential development in a significant location in support of the mission of the Urban Renewal Program.

FINDING: SATISFIED WITH CONDITION #3. The City concurs with the applicant's findings, and adds that while the retention of the existing building on the site is not an immediate deterrent to a public improvement program, it would be a deterrent to a private improvement program in the form of the proposed apartment building described by the applicant. The private improvement program and private investment would result in a development with a likely higher assessed value which would result in increased property tax revenue for the City on a property that is within the Urban Renewal District. The new apartment building, whether affordable or market rate, would be of benefit to the City due to the City's housing availability and affordability issues. These benefits override the public interest in the preservation of the existing building, as the existing building has also been found to not be of high value and significance.

The City finds that this was a more influential review criteria being satisfied by the demolition request. For that reason, and to ensure that the demolition of the historic resource does not occur without this improvement program moving forward, a condition of approval is included to require that the City of McMinnville not issue a demolition permit for the historic resource until building permits for an improvement program substantially similar to the project described in the application materials have been submitted to the Building Department.

17.65.050(B)(7). *Whether retention of the historic resource would cause financial hardship to the owner not outweighed by the public interest in the resource's preservation; and*

APPLICANT'S RESPONSE: We have had two estimates prepared for the restoration and demolition of the resource. The estimate to demolish the existing structure is \$55,000. The estimate to restore the structure is \$160,000. See "Estimate 74 & 75" attached.

When reviewing this application please keep in mind that the applicant is not responsible for the degeneration of the resource to its current poor condition. The responsibility for the property and care of the resource was passed to the applicant in 2014. The applicant is, however, currently responsible for the financial stability of the entire city block on which this resource exists and the businesses and other assets on the site and is not willing to leverage the security of those assets against this one to restore it in excess of the resulting value, nor would it be fiscally responsible for him to do so. It would not be reasonable for the city to expect the applicant to incur such a loss and prevent the applicant's improvement program from moving forward.

FINDING: SATISFIED WITH CONDITIONS #1 AND #2. The City concurs with the applicant's findings, and adds that the findings for Section 17.65.050(B)(3) above are also applicable. More specifically, the preliminary cost estimates and comparison to value of the structure described in more detail above show that the option of investing in the renovation of the existing building could be considered a financial hardship for the owner.

In addition, conditions of approval are included to ensure that the applicant make the structure and funding available for moving and relocation. One condition of approval specifically requires that the applicant make the structure available for moving and relocation for a period of at least

120 days. The condition also requires that the applicant provide notice on the property and in the local newspaper, on Craigslist, and to local real estate agents making them aware of the availability of the resource for moving and relocation. The condition of approval also requires that the demolition permit for the structure be delayed for 120 days from the first day of advertising the structure for relocation. Another condition of approval requires that the applicant make available the \$55,000 in funds that were identified as the cost to demolish the structure to the eventual party that may complete the relocation project, and that the terms of the removal agreement shall be subject to review by the Planning Director or their designee.

The availability of those funds would provide a financial incentive to someone interested in renovating the structure, as they could receive the structure at no cost and also have all or most of the costs of moving the structure covered by the applicant. This would not only test whether the renovation of the structure is economically reasonable to warrant the renovation (as discussed in findings for review criteria in Section and 17.65.050(B)(3) above), it would also preserve the structure itself. Maintaining the structure and the resource, albeit in another location, would preserve some level of public interest by retaining the historic resource. This would preserve the resource for future use and would serve the public interest in the retention of the resource.

Therefore, the City finds that the public interest would be benefited if the resource could be moved, renovated, and preserved. Should no party come forward to move and relocate the structure during the 120-day timeframe, the public interest did not outweigh the applicant's financial hardship, as described in more detail in the findings of economic use of the resource, in the retention of the resource.

17.65.050(B)(8). *Whether retention of the historic resource would be in the best interests of a majority of the citizens of the City, as determined by the Historic Landmarks Committee, and, if not, whether the historic resource may be preserved by an alternative means such as through photography, item removal, written description, measured drawings, sound retention or other means of limited or special preservation.*

APPLICANT'S RESPONSE: Since a priority for the citizens is to have affordable, safe housing we believe this initiative outweighs the interest in preserving this historical resource. Property is hard to come by and when it is available for use to provide safe, affordable housing for the citizens of McMinnville, the city should not hinder that opportunity whenever is reasonably possible. The historic resource in question is, by name only, a historic resource and no real loss will come from it's removal.

The applicant is prepared to offer any historical pieces from the structure free of charge to any person or organization who would like to retain them for display or historical reference in our community. Because of the deterioration of the interior there would be little use recording the resource through photography. The included exterior photos are available to any citizen or organization who would like to retain them for display or historical reference in our community.

For all of the above reasons, it is in the interest of the applicant, the citizens and the city of McMinnville that this historical resource be demolished and replaced with the proposed project.

FINDING: SATISFIED WITH CONDITIONS #1, #2 AND #4. The City concurs with the applicant's findings, but adds that conditions of approval are included to ensure that the applicant make the structure and funding available for moving and relocation. One condition of approval specifically requires that the applicant make the structure available for moving and relocation for a period of at least 120 days. The condition also requires that the applicant provide notice on the property and in the local newspaper, on Craigslist, and to local real estate agents making them aware of the availability of the resource for moving and relocation. The condition of

approval also requires that the demolition permit for the structure be delayed for 120 days from the first day of advertising the structure for relocation. Another condition of approval requires that the applicant make available the \$55,000 in funds that were identified as the cost to demolish the structure to the eventual party that may complete the relocation project, and that the terms of the removal agreement shall be subject to review by the Planning Director or their designee.

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Should no party come forward to move and relocate the structure during the 120-day timeframe, and together with the other applicable review criteria, the retention of the resource would not be in the best interest of a majority of the citizens of the City. If no party comes forward during the 120-day timeframe, another condition of approval is included to require that a minimum of 20 digital photos be provided of the exterior of the building to document the existing structure prior to its demolition, should it not be moved, relocated, or renovated as required by other conditions of approval.

17.65.070 Public Notice.

- A. After the adoption of the initial inventory, all new additions, deletions, or changes to the inventory shall comply with subsection (c) of this section.
- B. Any Historic Landmark Committee review of a Certificate of Approval application for a historic resource or landmark shall comply with subsection (c) of this section.
- C. Prior to the meeting, owners of property located within 300 feet of the historic resource under consideration shall be notified of the time and place of the Historic Landmarks Committee meeting and the purpose of the meeting. If reasonable effort has been made to notify an owner, failure of the owner to receive notice shall not impair the validity of the proceedings

APPLICANT'S RESPONSE: None.

FINDING: SATISFIED. Notice of the Historic Landmarks Committee's consideration of the Certificate of Approval application was mailed to property owners located within 300 feet of the historic resource. A copy of the written notice provided to property owners is on file with the Planning Department.

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